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DEPUTY

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF LOUISIANA  
LAKE CHARLES DIVISION

RUBY MAE CONSTANCE,  
ET AL.

DOCKET NO. 12-CV-01252

VS.

:

: JUDGE MINALDI

AUSTRAL OIL EXPLORATION  
COMPANY, INC., ET AL.

: MAGISTRATE JUDGE KAY

**JUDGMENT**

For the reasons stated in the Report and Recommendation of the Magistrate Judge previously filed herein [Docs. 44, 45], and after an independent review of the record, and noting the absence of objections thereto, and concurring with the Magistrate Judge's findings under the applicable law;

**IT IS ORDERED** that the plaintiffs' claims against Austral Oil Exploration Company, Inc., be **DISMISSED**;

**IT IS FURTHER ORDERED** that, as Austral Oil Exploration Company, Inc. was the only non-diverse defendant who could destroy diversity jurisdiction in this case pursuant to 28 U.S.C. § 1332, the Magistrate Judge's decision denying the plaintiffs' Motion to Remand is **AFFIRMED**.

Lake Charles, Louisiana, this 15 day of June, 2013.

  
PATRICIA MINALDI  
UNITED STATES DISTRICT JUDGE